

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Leslie Lobel and Joyce Lustbader
Serial No.: Not Yet Known
Filed : March 9, 2001
For : EXPRESSION OF PROPERLY FOLDED AND SOLUBLE
EXTRACELLULAR DOMAIN OF A GONADOTROPIN RECEPTOR

1185 Avenue of the Americas
New York, New York 10036
March 9, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

SIR:

PRELIMINARY AMENDMENT

Please amend the subject application as follows:

In the claims:

Please cancel claims 3, 5-6, 8-15, 17, 19-23, 27-31, 43 and 48-49 without prejudice or disclaimer to applicants' right to pursue the subject matter of these claims in a later-filed application. Please also amend claims 4, 7, 16 and 26 under the provisions of 37 C.F.R. § 1.121(c) as follows. A marked up version of the amended claims wherein the deleted material is in brackets and the inserted material is underlined is attached hereto as Exhibit A:

--4. (Amended) The nucleic acid of any one of claims 1-2, wherein the gonadotropin receptor is a human luteinizing hormone/choriogonadotropin receptor and

Applicants: Leslie Lobel and Joyce Lustbader
Serial No.: Not Yet Known
Filed : March 9, 2001
Page 2

the soluble polypeptide is capable of binding to human luteinizing hormone or human chorionic gonadotropin.--

--7. (Amended) The nucleic acid of any one of claims 1-2, wherein gonadotropin receptor is a human follicle stimulating hormone receptor and the soluble polypeptide is capable of binding to human follicle stimulating hormone.--

--16. (Amended) A replicable vector which comprises the nucleic acid of any one of claims 1-2.--

--26. (Amended) A soluble polypeptide encoded by the nucleic acid of any one of claims 1-2.--

Remarks:

Claims 1-49 are pending in the subject application. Applicants have hereinabove canceled claims 3, 5-6, 8-15, 17, 19-23, 27-31, 43 and 48-49 without prejudice or disclaimer to their right to pursue the subject matter of these claims in a later-filed application. Applicants have also hereinabove amended claims 4, 7, 16 and 26. This amendment does not involve any issue of new matter. Therefore, entry of this amendment is respectfully requested such that claims 1-2, 4, 7, 16, 18, 24-26, 32-42 and 44-47 will be pending.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned

Applicants: Leslie Lobel and Joyce Lustbader
Serial No.: Not Yet Known
Filed : March 9, 2001
Page 3

attorneys invites the Examiner to telephone them at the number provided below.

No fee, in addition to the enclosed \$591.00 which includes the \$355.00 filing fee and the \$236.00 fee for additional claims, is deemed necessary in connection with the filing of this Preliminary Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



John P. White
Registration No. 28,678
Attorneys for Applicant(s)
Spencer H. Schneider
Registration No. 45,923
Cooper & Dunham, LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

Applicants: Leslie Lobel and Joyce Lustbader
Serial No.: Not Yet Known
Filed : March 9, 2001
Page 4

Exhibit A

- 4. (Amended) The nucleic acid of any one of claims 1-2[3], wherein the gonadotropin receptor is a human luteinizing hormone/choriogonadotropin receptor and the soluble polypeptide is capable of binding to human luteinizing hormone or human chorionic gonadotropin.--
- 7. (Amended) The nucleic acid of any one of claims 1-2[3], wherein gonadotropin receptor is a human follicle stimulating hormone receptor and the soluble polypeptide is capable of binding to human follicle stimulating hormone.
- 16. (Amended) A replicable vector which comprises the nucleic acid of any one of claims 1-2[3].
- 26. (Amended) A soluble polypeptide encoded by the nucleic acid of any one of claims 1-2[3].